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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,129	03/29/2001	Laurent Duquesnois	FR000033	5635

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EXAMINER

BENGZON, GREG C

ART UNIT PAPER NUMBER

2144

DATE MAILED: 11/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/821,129	<b>Applicant(s)</b> DUQUESNOIS, LAURENT	
	<b>Examiner</b> Greg Bengzon	<b>Art Unit</b> 2144	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This application has been examined. Claims 1-9 are pending.

#### ***Priority***

Applicant is advised of possible benefits under 35 U.S.C. 119(a)-(d), wherein an application for patent filed in the United States may be entitled to the benefit of the filing date of a prior application filed in a foreign country.

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in France on April 4, 2000.

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

The effective date for the subject matter defined in the pending claims in this application is April 4, 2000.

#### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on March 29, 2001 was filed after the mailing date of the application on March 29, 2001. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

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The information disclosure statement (IDS) submitted on September 21, 2001 was filed after the mailing date of the application on September 21, 2001. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a) because they fail to show 1) the data unit (AU) and actual coding block (COD) described in Page 4 Paragraph 1 of the Specifications as part of Figure 2; 2) the replacement clock HREP, modification clock HMOD and renewal clock HRNW are not indicated on Figure 3; 3) the scene modification commands occurring every 40 milliseconds are not shown on Figure 3 as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate

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changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claims 1-9 are objected to because of the following informalities: Claims 1-9 refer to a complete scene description, the scope of which is not adequately described in the specifications. The applicant is advised to indicate the contents and scope of a complete scene description, as compared to the scene description as described in pages 1 and 2 of the Specifications. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US Patent 6611262) in view of Nakamura et al. (US Patent 5767846) further in view of the ISO/IEC MPEG-4 Standards Document (designated as ISO/IEC 14496) authored by the Motion Picture Experts Group, hereinafter referred to as MPEG-4 Standards.

With respect to Claim 1, Suzuki discloses a telecommunications network (Column 1 Lines 25-30) comprising at least: a transmitter terminal including a multi-media scene description coder for producing a data stream which contains coded data relating to a complete scene description (Column 10 Lines 60-68), and a receiver terminal which may be connected at any instant to said transmitter terminal for receiving said data stream (Figure 8 Column 12 Lines 55-65), characterized in that said transmitter terminal includes a storage memory for storing data coded at a given instant and relating to a description of a complete scene. (Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35, Column 17 Lines 20-25)

With respect to Claim 2, Suzuki discloses a terminal including a multi-media scene description coder for delivering a data stream formed by coded data relating to a complete scene description, characterized in that it includes a storage memory for storing data coded at a given instant and relating to a complete scene description. . (Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35 Column 17 Lines 20-25, Column 18 Lines 5-20)

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With respect to Claim 3, Suzuki discloses a terminal as claimed in claim 2, characterized in that the data stream includes data relating to modifications to be applied to a complete scene which are introduced in the stream. (Figure 2, Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35 Column 3 Lines 10-35, Column 7 Lines 10-15, Lines 25-35)

With respect to Claim 4, Suzuki discloses a terminal as claimed in claim 2, characterized in that the complete scene description for which coded data are stored in said memory. (Figures 2, Column 9 Lines 45-55)

With respect to Claim 5, Suzuki discloses a method of forming a data stream, said coded data relating to a complete scene description, characterized in that it includes a step of storing data coded at a given instant and relating to a complete scene description. (Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35 Column 17 Lines 20-25, Column 18 Lines 5-20)

With respect to Claim 6, Suzuki discloses a method as claimed in claim 5 of forming a data stream, and in that the data stream contains data relating to modifications to be made in a complete scene, which are made in the stream. (Figure 2, Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35 Column 3 Lines 10-35, Column 7 Lines 10-15, Lines 25-35)

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With respect to Claim 7, Suzuki discloses a method as claimed in claim 6, characterized in that the complete scene description are stored in memory. (Figure 19 Items 302, 308, and 310, Column 10 Lines 5-10, Lines 25-35 Column 17 Lines 20-25, Column 18 Lines 5-20)

With respect to Claim 8, Suzuki discloses a signal conveying a data stream which includes coded data relating to a description of a complete scene. (Figure 7 Column 12 Lines 25-55)

Suzuki discloses concepts and practices regarding storing complete scene descriptions in memory and multiplexing the complete scene description data with other data pertaining to related scene objects such as Audio-Visual (AV) data and Object Stream Information. Suzuki describes a method for producing three-dimensional space modeling data defined by a plurality of nodes and image/audio data specified by a position included in the nodes. (Column 8 Lines 9-15) Coded data stored in the transmission buffer is read out with a predetermined timing and output as a bit stream to a transmission line.

However, Suzuki does not disclose the following concepts and practices regarding the use of templates, temporal layout mechanisms, and multimedia editing mechanisms wherein a template (such as the complete scene description) is used as a foundation on which additional objects are added to in order to complete a multi-media



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object. Suzuki does not disclose of the complete scene description being used repeatedly at one or several later instants. While Suzuki mentions a predetermined timing and output sequence, Suzuki does not disclose concepts and practices regarding synchronizing the inputs to the bit stream in accordance to a synchronization clock where the complete scene description is assigned a reference point time  $t=0$ , and the other objects in the scene are introduced successively at other instances relative to  $t=0$ . Suzuki does not disclose the description of a complete scene changes in timing with a replacement clock. Suzuki does not disclose modifications being introduced to the scene description in timing with a modification clock which presents a non-zero phase shift relative to the replacement clock. Suzuki does not disclose a signal as claimed in claim 8, characterized in that the description of a complete scene changes.

Suzuki does not disclose the concept of access points in bit streams, such access points formed by coded data relating to a complete scene description, and that the output data stream contain at least various successive access points are formed by the same description of a complete scene.

Nakamura describes a multi-media editing system wherein a multi-media document is created and edited using scene data as structurization units of the document, by an editor which edits a reproduction sequence relation of multi-media information elements. Nakamura describes a system that can continue reproduction

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over a plurality of scenes even when there is a switchover of scenes, in which case the scene description is replaced or renewed depending on the requirements for the next scene. (Column 5 Lines 15-30 Column 7 Lines 15-30) The stored scene description may be used repeatedly in order to perform scene reproduction processing, or alternatively replaced with another completely different scene description. With respect to Claim 9, Nakamura discloses a signal as claimed in claim 8, characterized in that the description of a complete scene changes in timing with a replacement clock.

Nakamura describes scene reproduction processing performed in order from the head scene and thereafter executed for each constituent track of the scene. (Figures 2 and 3, Column 5 Lines 1-45, Column 7 Lines 15-30, Column 9 Lines 50-55) Furthermore, Nakamura describes the scene reproduction process being performed in timing with a clock as controlled by scene data control, such that modifications (or additions) are introduced to the complete scene description (head scene) at later intervals relative to start of processing. (Figure 10A and 10B, Column 1 Lines 65-68, Column 2 Lines 1-20, Column 7 Lines 60-65, Column 5 Lines 40-45)

Suzuki and Nakamura are analogous art because they present concepts and practices regarding multi-media scene reproduction using scene descriptions as initial building blocks, such scene descriptions further modified by various multimedia information elements. It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of multi-media editing systems described by Nakamura into the

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method and system of generating bit streams by Suzuki, such that the system of Suzuki is able to 1) use the scene description as a structurization unit; 2) implement scene data control and 3) repeatedly send the same complete scene description or send an entirely different scene description, depending on the required scene. It would have been similarly obvious to introduce the scene description and constituent information elements for the scene at various instances in timing with a timing device as described by Nakamura. The suggested motivation for doing so would have been to take advantage of the MPEG-4 compression techniques and standards for coding and decoding video data streams, such that the largest scene information component (the complete scene description) is coded and transmitted for a minimal number of instances for a particular scene reproduction process or in the instance of switchover scenes, be able to detect the new scene requirements, replace the stored scene description with a new scene description, and proceed with scene reconstruction.

Therefore it would have been obvious to combine Nakamura with Suzuki for the benefit of efficient and synchronized scene reproduction processing.

However, the combined teachings of Suzuki and Nakamura, when applied together, do not disclose any concepts and practices regarding access point in bit streams, such access points formed by coded data relating to a complete scene

description, and that the output data stream contain at least various successive access points formed by the same description of a complete scene.

The MPEG-4 Standards describe how to associate a set of streams with one another in order to describe a multimedia presentation composed of a large set of such streams. The presentation of these streams in a coordinated manner is basically governed by the scene description. Therefore, a clearly defined notion of time must be established between the scene description and all the media streams. Then, a mechanism is needed to convey such timing information. The MPEG-4 Standards describe access points as discrete portions of data containing scene descriptions related to a specific point in time. Access units are the data elements to which time stamps can be attached and are found in various instances in the data stream. (Section MPEG-4-1, Clause 10 Synchronization Layer).

Suzuki, Nakamura and the MPEG-4 Standards are analogous art because they present concepts and practices regarding data streams containing scene descriptions for multimedia information . It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to implement the concepts and practices of associating large sets multi-media data streams using the scene descriptions in access units as described by the MPEG-4 Standards into the combined teachings of Suzuki and Nakamura, such that each complete scene description in the bit stream can be considered an access point for a particular set of

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data streams. The suggested motivation for doing so would have been to facilitate identification of the start of the scene reproduction process within a large data stream, and synchronize a data stream for a scene with another data stream for a different scene or another data stream of different type of media, or another data stream with a different bit stream rate, for editing or presentation purposes.

Therefore, it would have been obvious to combine the concepts of access units found in the MPEG-4 Standards with the combined teachings of Nakamura and Suzuki for the benefit of synchronization of large sets of data streams to obtain the invention as specified in Claims 1-9.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 for details.

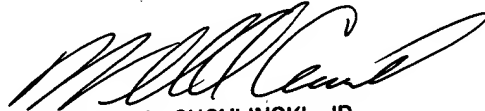
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571)272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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